

Message Text

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PAGE 01 ZURICH 00725 171306Z

46

ACTION EUR-12

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FM AMCONSUL ZURICH

TO SECSTATE WASHDC PRIORITY 2429

INFO AMEMBASSY BERN

UNCLAS ZURICH 0725

E.O. 11652: N/A

TAGS: CFED, SZ

SUBJ: FACILITATIVE ASSISTANCE TO JUSTICE DEPARTMENT

REF: A) STATE 275660, B) SCARLIS/EUR-CE TELCON OF NOVEMBER 9

1. CONGEN HAS DISCUSSED REQUEST FOR ASSISTANCE IN LAMONT/ OPERATIONS MULTINATIONAL CASE WITH LIECHTENSTEIN JUDGE WHO IS RESPONSIBLE FOR COOPERATION WITH FOREIGN JUDICIAL AUTHORITIES. JUDGE EXPRESSED WILLINGNESS, IN PRINCIPLE, TO COOPERATE IN THIS AND SIMILAR CASES PROVIDED REQUEST MADE THROUGH LANDGERICHT OF PRINCIPALITY OF LIECHTENSTEIN AND FOLLOWING PROCEDURE IS FOLLOWED:

A) THAT LETTERS ROGATORY FROM A COURT OR PROSECUTING ATTORNEY WERE DIRECTED TO THE LANDGERICHT

B) THAT THE FULL NAME, DATE OF BIRTH, DOMICILE AND RESIDENCE OF INDIVIDUALS UNDER INDICTMENT WERE PROVIDED

C) THAT THE LETTERS ROGATORY EXPLAINED FULLY THE FACTS OF A CASE, I.E. THE PURPOSE OF THE INQUIRY AND WHY FURTHER INVESTIGATION IS NECESSARY IN LIECHTENSTEIN. (IN THE LAMONT CASE, THE SPECIFIC ROLE OF OPERATIONS MULTINATIONAL AND THE CONNECTION TO THE ACCUSED SHOULD BE DESCRIBED.)

2. ONCE THE LANDGERICHT RECEIVES A LETTER ROGATORY, IT NORMALLY TAKES 10 DAYS TO PREPARE A FORMAL REQUEST AND RECEIVE AN INITIAL REPLY FROM THE BANKING AUTHORITIES. THE INITIAL RESPONSE WILL MERELY INDICATE WHETHER ANY INFORMATION EXISTS OF POSSIBLE INTEREST TO THE REQUESTING JUDICIAL

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AUTHORITY.

3. IF SOME INFORMATION EXISTS, THE REQUESTER IS INFORMED OF THAT FACT AND ANOTHER PROCEDURE IS INITIATED. THE INDIVIDUAL UNDER INDICTMENT IS INFORMED AND TOLD THAT AN OBJECTION TO THE RELEASE OF SUCH INFORMATION TO A FOREIGN JUDICIAL AUTHORITY MUST BE MADE WITHIN TEN DAYS. IF THERE IS AN OBJECTION, THE MATTER IS REFERRED TO AN APPEALS COURT WHICH MAY TAKE TWO OR THREE MONTHS TO DECIDE.

4. LETTERS ROGATORY ADDRESSED TO LIECHTENSTEIN JUDICIAL AUTHORITIES SHOULD BE TRANSMITTED THROUGH CONGEN ZURICH. NELSON

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Message Attributes

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Disposition Event:
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